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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/520,825	03/08/2000	Kelli Hustad Hueler	HUEC.300USO1	1844

7590

10/15/2003

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EXAMINER

DASS, HARISH T

ART UNIT	PAPER NUMBER
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3628

DATE MAILED: 10/15/2003

Restart

Please find below and/or attached an Office communication concerning this application or proceeding.



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Office Action Summary

Application No.

09/520,825

Applicant(s)

HUELER ET AL.

Examiner

Harish T Dass

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 March 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 101

1. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1-7 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter, particularly, an abstract idea.

The Examiner notes that the disclosed invention is within the technological arts. The claimed invention is also noted not to be a computer program, data structure, a natural phenomenon, and a non-descriptive material per se. The claimed invention does not include a series of steps to be performed by a computer. The claimed invention also is not a product for performing a process, nor is it a specific machine or manufacture. The claimed invention is not a specific tangible machine or process for facilitating a business transaction. Claims 1-7 are do not appear to correspond to a specific machine or manufacture disclosed within the instant specification and thus encompass any product of the class configured in any manner to perform the underlying process. Claims 1-7 are do not appear to correspond to a specific machine or manufacture, and thus encompass any product of the class configured in any manner to perform the underlying process. The claimed invention of claims 1-7 also do not include a post-computer process activity or a pre-computer process activity. Thus, no physical transformation is performed, no practical application in the technological art is found.

Consequently, claims 1-7 are analyzed based upon the underlying process, and are thus rejected as being directed to a non-statutory process.

See *State Street Bank & Trust Co. V. Signature Financial Group Inc.*, 47 USPQ2d 1597 (Fed. Cir. 1998) where the Federal Circuit held that: "[T]he transformation of data, representing discrete dollar amounts, by a machine through a series of mathematical calculations into a final share price, constitutes a practical application of a mathematical algorithm, formula, or calculation, because it provides "a useful, concrete and tangible result".

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 4, 6-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Field (US Pat. 6,073,104) in view of Crozier (US Pat. 5,666,553).

Regarding claim 1, 4, 6, 8-10 Field discloses computerized information management system to create and access commercial paper market to sell claims to asset backed commercial paper conduits, defining export (import) showing what data items are in each field in the data file, reading the received export file, download file (import), converting data from provider's format to standard format, transferring data to

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file(s), transmitting data and reports (proposal), receiving all of incoming data (proposal), approval (authorizion), creation of financial and clinical database, primary file server and second file server, seller accounting system (seller information such as name, ID, etc.), receiving data, storage device, interface [Abs; Figures 3, 5, 12-13, 23; C1 L5-L45; C7 L8-L67; C8 L60 to C10-L48]. Field does not disclose, explicitly, data file import, mapping of data fields, releasing information, seller authorization code, notification and releasing investment information. However, Crozier discloses a method for translation of dissimilar-formatted data between computer applications and platforms, and mapping of data fields and data import [Abs; C3 L1 to C2-L10; C4 L45-L67].

It would have been obvious to one of ordinary skill in the art at the time the Applicant's invention was made to modify disclosure of Field and include file import to get external data files and translate the data file by mapping to match internal data format for generating target database, as taught by Crozier. Further, it will be apparent to those skilled in the art that contract information (investment information) are discloses to only to transacting parties as a prudent business practice.

Claims 2-3, and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Field (US Pat. 6,073,104) as applied to claim 1 above, and further in view of Tozzoli et al (Hereinafter Tozzoli, US Pat. 6,151,588).

Regarding claim 2-3, and 5 Field discloses computerized information management system to create and access commercial paper market to sell claims to asset backed commercial paper conduits and approval (see claim 1). Field, explicitly, does not disclose authorization code and notification. However, Tozzoli disclose a computer system that facilitates trade in goods and services, transmitting notification, purchase order and authorization code [Abs; C1 L2-L40; C13 L1 to C14 L65]. It would have been obvious to one of ordinary skill in the art at the time the Applicant's invention was made to modify disclosure of Field and include authorization code to allow authorized user to access the system and notification, as taught by Tozzoli, to timely inform the user (seller/buyer) of any changes in contract, approval, acceptance, etc.

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 CFR ' 1.111 (c) to consider the references fully when responding to this action..

US Pat 5,910,987 to Ginter et al, June 8, 1999, "Systems and methods for secure transaction management and electronic rights protection". This invention discloses a systems and methods for secure transaction management and electronic rights protection and virtual distribution environment.

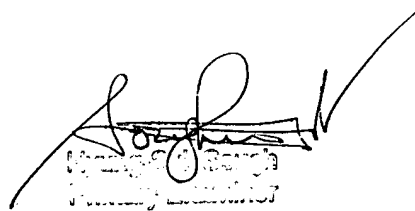
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Harish T Dass whose telephone number is 703-305-4694. The examiner can normally be reached on 8:00 AM to 4:50 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hyung S Sough can be reached on 703-308-0505. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-7687 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

Harish T Dass *HTD*
Examiner
Art Unit 3628

1/21/03
January 22, 2003

A handwritten signature in black ink, appearing to read 'Harish T Dass', is written over a rectangular stamp. The signature is fluid and cursive. The stamp is partially obscured by the signature but appears to contain some text and possibly a date or reference number.